

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Consideration of an application of the **Bellevue School District** for a Conditional Use Permit and a Critical Areas Land Use Permit to demolish the existing **Odle Middle School** and to construct a new two-story facility to serve grades 6 through 8. The adjacent Bellevue Aquatic Center will not be disturbed and will remain open during the construction process. The site area is approximately 18 acres and is located at 502 143rd Avenue NE, which lies in between 140th and 148th Avenues NEt. The project location is zoned R-4 and R-1.8 and is located within the jurisdictional area of the East Bellevue Community Council.

FISCAL IMPACT

None.

STAFF CONTACT

Wick Dufford, Hearing Examiner – 452-6934

POLICY CONSIDERATION

Whether the application complies with the Bellevue City Code and applicable decision criteria.

BACKGROUND

For background information, please review the attached Hearing Examiner's Summary.

EFFECTIVE DATE

This matter was discussed with Council on April 28, 2014 and is scheduled for Council action this evening. If adopted, the Ordinance concerning this application will become effective five days after its publication.

OPTIONS

1. Approve the application as recommended by the Examiner.
2. Approve the application with additions or modifications.
3. Deny the application.
4. Remand the matter.

HEARING EXAMINER'S RECOMMENDATION

Move to adopt the Hearing Examiner's Findings and Recommendation, and approve the Ordinance.

ATTACHMENTS

Hearing Examiner's Summary
Vicinity and Site Maps
Ordinance No. 6159

AVAILABLE IN COUNCIL OFFICE

The Department (DSD) supporting file with oversized construction documents.

SUMMARY

Application of the **Bellevue School District** for a Conditional Use Permit (Process III) and a Critical Areas Land Use Permit (Process II) to demolish the existing **Odle Middle School** and to construct a new two-story facility to serve grades 6 through 8. The adjacent Bellevue Aquatic Center will not be disturbed and will remain open during the construction process. The site area is approximately 18 acres and is located at 502 143rd Avenue NE, which lies between 140th and 148th Avenues NE. The project location is zoned R-4 and R-1.8 and is within the jurisdictional area of the East Bellevue Community Council.

1. BACKGROUND

The existing school is a one-story structure built in 1969 at a time when a more open campus style was being used. The Bellevue City Aquatic Center is located at the northwest corner of the site. Parking is situated north and south of the school building.

2. APPLICATION BEFORE THE EXAMINER

The public hearing before the Examiner was held as noticed on March 6, 2014 at 7:00 p.m. in the Bellevue City Hall Council Chambers. Appearing at the hearing were Jack McLeod, Bellevue School District Facilities Manager, Antoinette Pratt, Senior Planner for Bellevue's Development Services Department, and Carl Wilson, Transportation Reviewer for the City of Bellevue. There was no public testimony.

On March 14, 2014 the Hearing Examiner issued Findings of Fact, Conclusions of Law and a Recommendation that the applications be approved with conditions (see pages 6, 7, 8, 9, 10 and 11 of the Hearing Examiner's Recommendation). The deadline for filing an appeal of the Examiner's Recommendation was March 28, 2014. No appeals were filed.

3. SITE CHARACTERISTICS

The existing school is one-story and oriented to the central portion of the lot. Parking is located north and south of Odle Middle School. All vehicular and bus traffic access the site from the north from NE 8th onto 143rd Avenue NE. Athletic fields exist south of the school for tennis, baseball, soccer and track.

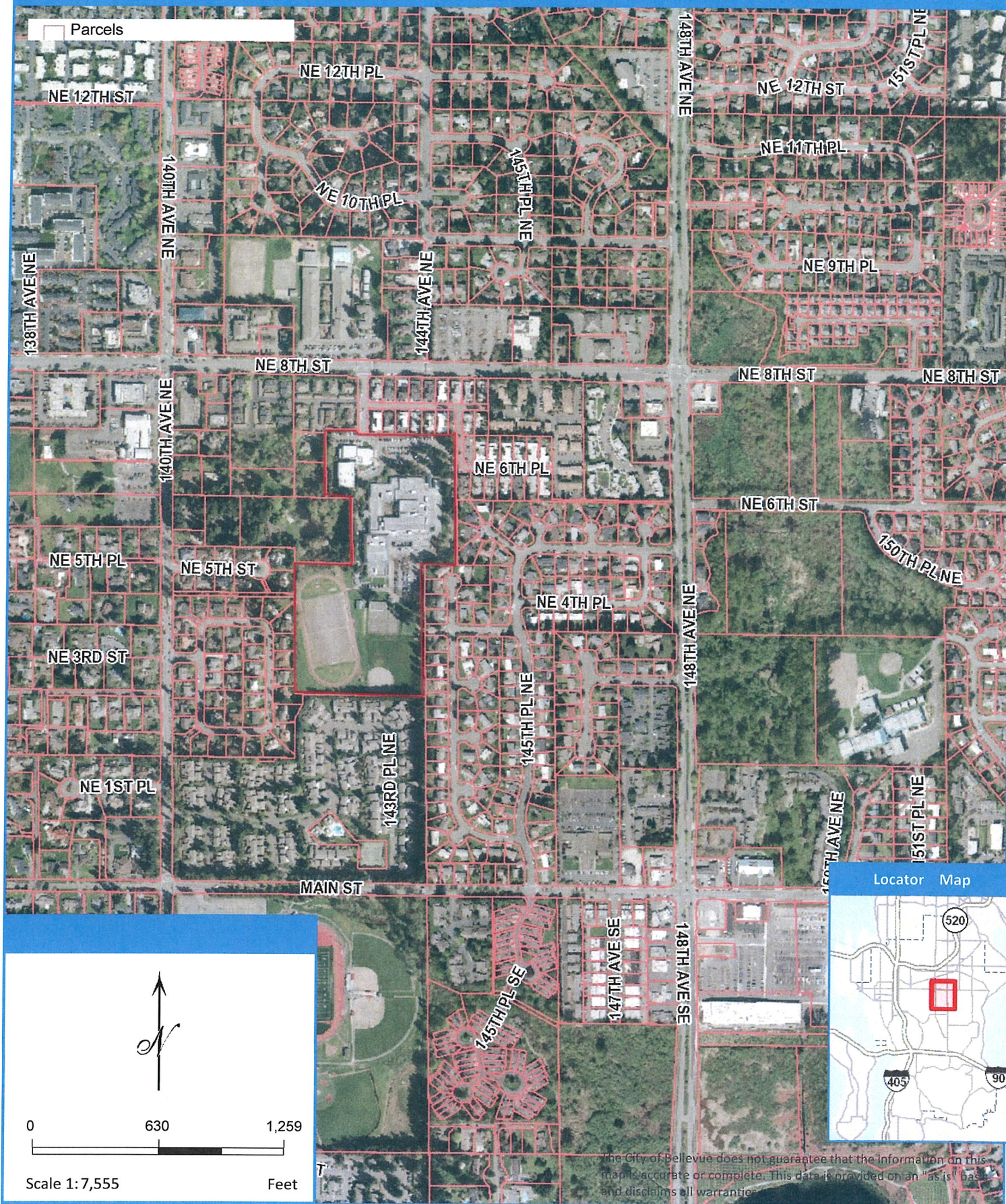
The site consists of two wetlands which are located near the existing track. Wetland A is classified as a Category II while Wetland B is classified as a Category IV. A Critical Areas Land Use Permit is required due to the presence of the Category II wetlands. The existing athletic track encroaches into the required buffer for Wetland A. As proposed, the existing athletic track will be removed from this area and moved further south away from the Wetland. Steep slopes are also located on the parcel at the northwest corner and along the southeast property line on NE 4th Street.

4. COMMENTS

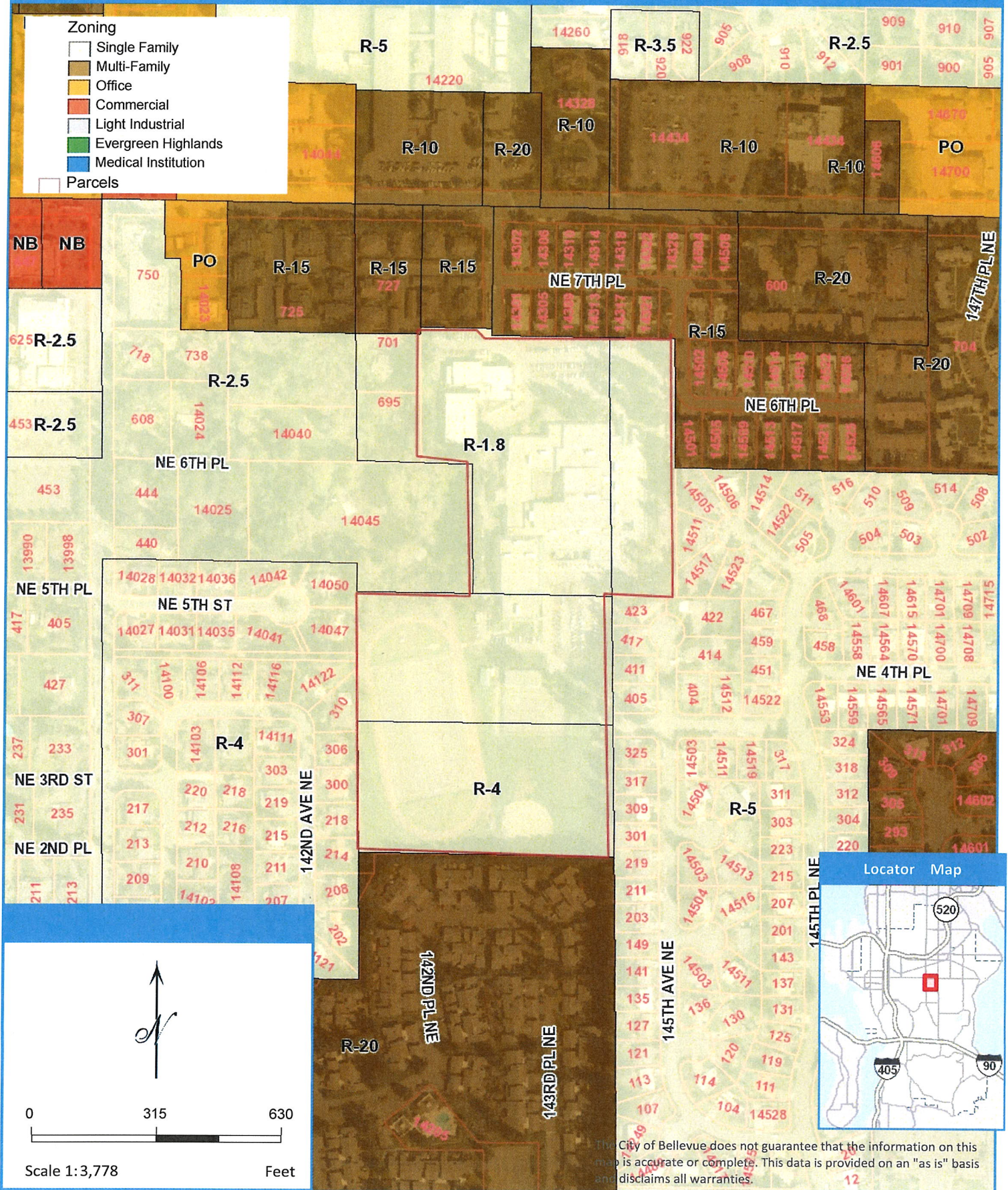
As noted above no public testimony was received.

5. HEARING EXAMINER RECOMMENDATION

The Hearing Examiner concurs with the Development Services Department and recommends that the proposed Conditional Use Permit application and the Critical Areas Land Use Permit application be **APPROVED** subject to conditions (see pages 6, 7, 8, 9, 10 and 11 of the Hearing Examiner's Recommendation).







The City of Bellevue does not guarantee that the information on this map is accurate or complete. This data is provided on an "as is" basis and disclaims all warranties.

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6159

AN ORDINANCE approving the conditional use permit application for the Bellevue School District to demolish the present one-story Odle Middle School and to construct a new two-story facility on the same site at 502 143rd Avenue NE, which lies between 140th and 148th Avenues NE; File No. 13-119594-LB; and establishing an effective date.

WHEREAS, the Bellevue School District applied on July 3, 2013 to the City for a conditional use permit to demolish the present Odle Middle School and replace it with a two-story facility at the same site, 502 143rd Avenue NE, Bellevue, WA; and

WHEREAS, under the City's land use code, approval of an application for a conditional use permit is a Process III Decision; and

WHEREAS, the Bellevue School District, as well, applied for a critical areas land use permit, which was approved by the Director for the City's Development Services Department on February 20, 2014 for Permit No. 13-119597 LO; and

WHEREAS, prior to submitting its application, the Bellevue School District held a public meeting on the proposal on February 9, 2012; and

WHEREAS, the East Bellevue Community Council held a courtesy public meeting on the application on August 6, 2013 pursuant to notice required by law; and

WHEREAS, on January 9, 2014, a public meeting was held on the application by the Development Services Department staff to address items raised from the August 6, 2013 public meeting; and

WHEREAS, on March 14, 2014, the Hearing Examiner issued his Findings of Fact, Conclusions of Law and Recommendation for File No: 13-119594 LB, which recommends approval, subject to conditions, of said application; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of law of the Hearing Examiner; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and the Bellevue Procedures Code; and

WHEREAS, under City of Bellevue Land Use Code ("LUC") Section 20.35.365, if the City Council approves, or approves with modifications, within the jurisdiction of the Community Council, that approval is not effective within the jurisdiction of the Community Council until the Community Council votes to approve

the ordinance, or the Community Council fails to disapprove the ordinance within 60 days of the enactment of that ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions of law made and entered by the Hearing Examiner in support of his recommendation to the City Council in this matter as attached hereto as Exhibit A and by this reference fully incorporated herein.

Section 2. The City Council hereby approves Bellevue School District's conditional use application under Permit No. 13-119594 LB to demolish and replace Odle Middle School, subject to each of the conditions set forth in the "Conditions" section of the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation included herewith as Exhibit A.

Section 3. This ordinance shall be recorded with the King County Department of Records and Elections.

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

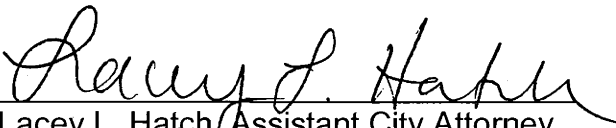
Passed by the City Council this _____ day of _____, 2014
and signed in authentication of its passage this _____ day of _____,
2014.

(SEAL)

Claudia Balducci, Mayor

Approved as to form:

Lori M. Riordan, City Attorney


Lacey L. Hatch, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published _____

BEFORE THE HEARING EXAMINER FOR THE CITY OF BELLEVUE

In the Matter of an Application for a
Conditional Use Permit and Critical
Areas Land Use Permit

**FILE NOS: 13-11594 LB
13-11597 LO**

**BELLEVUE SCHOOL DISTRICT
(ODLE MIDDLE SCHOOL)**

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND RECOMMENDATION**

To demolish the present school and
erect a new two-story middle school
on the same site, along with modifications
to the existing athletic fields, parking,
landscaping and new provisions for access.

SUMMARY

1. Recommendation. The Conditional Use Permit and Critical Areas Land Use Permit should be **APPROVED**, subject to conditions.

2. Proposal. The Bellevue School District seeks approval of a project to demolish the existing Odle Middle School and erect a new school on roughly the same footprint. Some changes will be made to the athletic fields, parking and landscaping.

The new Odle will serve grades 6 through 8 in an enclosed two-story structure to be built over the two years beginning in June 2014 and continuing through July 2016. The adjacent City Aquatic Center will not be disturbed and will remain open during the construction process. While the new school is being built, the Odle student body will use the building and site of the former Ringdall Middle School.

The new facility will feature significant modification to the drop-off and pick-up areas at the site, eliminating present back-ups affecting NE 8th Street. Provision for emergency police and fire access via the existing stub on NE 4th Street will be made through a gated entry.

3. Procedure. Three public meetings were held. All were well attended. The School District held a pre-application public meeting on February 9, 2012, at the Odle library. Discussion concentrated on vehicular access, parking and architectural design. A public meeting with the East Bellevue Community Council was held on August 6, 2013. Comments then related to concerns for on-site wetlands, transportation impacts, and purported historic agreements

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1 between the school district and the adjacent Imperial East neighborhood. On January 9, 2014,
2 the City conducted a public meeting which addressed the items raised at the earlier meetings.
3 Initial plans to use NE 4th Street for bus access were scrapped. The ultimate design was shown
4 to impose a lesser impact on wetlands than currently occurs. Expert review showed that no
5 portions of the baseball field are in fact wetlands. Though no formal historic agreements with
6 the adjacent residential neighborhood were found, the central concern that NE 4th not be used for
7 regular access to the site was recognized. That access point was reserved for emergency use
8 only. Considerable effort was expended by consultants and the City transportation staff to
9 redesign the ingress/egress system using the sole entry along 143d Avenue NE. The object was
10 to prevent queuing on NE 8th during school rush hours. The design adopted is expected to
11 accomplish that result.

12 The School District conducted environmental review of the project and issued a
13 Determination of Non-Significance (DNS) on April 1, 2013. The DNS was not appealed.

14 Notice of the Hearing Examiner hearing was properly given by the City and the hearing
15 was held on March 6, 2014, at Bellevue City Hall. The project was presented for the City by
16 Antoinette Pratt, Senior Planner, and Carl Wilson, Transportation Reviewer. Jack McLeod,
17 Facilities Manager, represented the School District. There was no public testimony.

18 FINDINGS OF FACT

19 1. The factual matters set forth in the foregoing **SUMMARY** are adopted by the
20 Examiner as findings.

21 2. Odle Middle School is located within the jurisdictional area of the East Bellevue
22 Community Council. The site is located within the R-4 and R1.8 land use districts. A
23 Conditional Use Permit is needed for the new building because a portion of the gymnasium will
24 exceed the 40-foot zoning height standard.

25 3. Occupying about 18 acres between 140th and 148th Avenues NE, the site lies directly
26 south of the point where NE 8th Street passes Stevenson Elementary School. All vehicular and
27 bus traffic accesses the site from NE 8th on the north via 143d Avenue NE which terminates in
28 the school's access and parking areas.

29 4. South of the school building are athletic fields for baseball, tennis, soccer and track.
30 The neighborhood around the school is devoted to single family and multi-family uses.

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1 5. The existing school is a one-story structure built in 1969 at a time when a more open
2 campus style was being used. The City of Bellevue's Aquatic Center is located at the northwest
3 corner of the site. Parking is situated north and south of the school building.

4 6. The new Odle will be a two-story structure, fully enclosed, with interior circulation to
5 all areas. The academic building will reach 40 feet in height, but the roof for the gymnasium will
6 be 45 feet, 8 inches above existing grade. Classrooms will be organized in clusters with adjacent
7 shared areas providing opportunities for collaboration beyond the traditional classroom model.
8 A commons area will be located at the heart of the school. The primary entry will be on the
9 north side.

10 7. The project will include synthetic turf on fields and the track, as well as new
11 outbuildings for field use and maintenance. A covered play area will be provided between the
12 commons and the field areas.

13 8. The present student population is around 800, a level that has been maintained for
14 several years. The school was built for a capacity of 1061 students. The new facility is designed
15 to accommodate 1,200 students -- a size expected to be reached over time.

16 9. Construction will commence in June of 2014 and be completed in a single phase over
17 two years. The new school should open in the fall of 2016. The City's Aquatic Center will
18 remain open during construction and efforts will be made to avoid interference with access to the
19 Center during the building period.

20 10. The principal problem with the physical setting at Odle has been traffic congestion at
21 the start and end of the school day. In the past, back-ups on 143d Ave. NE, the sole means of
22 vehicular access, have spilled out onto NE 8th Street, creating queues on that busy arterial
23 during times of significant through commuter traffic.

24 11. The revised entry-exit layout and a proposed traffic management program are
25 designed to solve this problem in the immediate future and at full student capacity. At least
26 1,200 feet of on-site pick-up/drop-off space will be provided with traffic monitoring and
27 management during peak periods. On-site efficiency will be maximized by providing three
28 separate pick-up and drop-off areas, each with weather protection shelters for the students. The
29 extended pick-up and drop-off loop will be large enough to allow pass-through traffic.
30

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12. School busses will be routed to a separate ingress-egress pathway with off-loading and boarding in an area separate from the roadway used by automobiles. This lane has been designed to handle up to 15 busses, the number projected as needed at full student capacity.

13. The site presently contains 133 parking stalls divided between two parking areas. The proposal calls for increasing the number of parking stalls to 285. This should readily accommodate the anticipated increase in student population and attendant staff increases.

14. By virtue of the State Growth Management Act, public schools are classified as "essential public facilities." As such, they are allowed within critical areas and critical area buffers. However, encroachments must be mitigated.

15. A professional wetland delineation and habitat assessment was performed for the site. There is a single regulated wetland, located north of the existing track. Most of this wetland lies off-site to the northwest. It forms a natural low point, so existing drainage will continue to outfall to the wetland via an improved culvert. A pedestrian path from 140th Avenue NE crosses a part of this wetland.

16. Under the proposal, the track will be reconfigured from a north/south to an east/west alignment which will place it outside the wetland buffer. However, a new synthetic turf field will offset a portion of this impact reduction. Moreover the pedestrian path from 140th and a plaza ramp will impose minor critical area encroachment. Overall, wetland impacts will total 4,210 square feet.

17. Mitigation has been proposed through increasing the wetland buffer area and planting native trees and shrubs. Prescribed performance standards must be met for the plantings. In addition habitat enhancement actions such as placing large woody debris, nest boxes and seating for special habitat features are recommended.

18. Landscaping for the school is designed for low water consumption and low maintenance. Saving existing mature trees is a design priority. Some landscape areas, particularly in the parking lots, will be designed as rain gardens to act as natural filtration areas.

19. The facilities of the renovated Odle Middle School will be made available for public use at minimal cost.

20. Appropriate City departments have reviewed the project plans and their comments and requirements are reflected in conditions of approval.

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1 21. The criteria for approval of a Critical Areas Land Use Permit are set forth at LUC
2 20.30P.140 as follows:

- 3 A. The proposal obtains all other permits required by the Land Use Code; and
4 B. The proposal utilizes to the maximum extent possible the best available
5 construction, design and development techniques which result in the least
6 impact on the critical area and critical area buffer; and
7 C. The proposal incorporates the performance standard of Part 20.25H to the
8 maximum extent applicable; and
9 D. The proposal will be served by adequate public facilities including street,
10 fire protection, and utilities, and
11 E. The proposal includes a mitigation or restoration plan consistent with the
12 requirements of LUC Section 20.25H.210, and
13 F. The proposal complies with other applicable requirements of this code.

14 22. The criteria for approval of a Conditional Use Permit are set forth at LUC
15 20.30B.140 as follows:

- 16 A. The Conditional Use is consistent with the Comprehensive Plan.
17 B. The design is compatible with and responds to the existing or intended
18 character, appearance, quality of development and physical characteristics of
19 the subject property and immediate vicinity.
20 C. The Conditional Use will be served by adequate public facilities, including
21 streets, fire protection and utilities.
22 D. The Conditional Use will not be materially detrimental to uses or property in
23 the immediate vicinity of the subject property.
24 E. The Conditional Use complies with the applicable requirements of this Code.

25 23. The Staff Report analyzes the proposal in light of the above criteria for both types of
26 permit approval and concludes that, as conditioned, the project will comply with them. Based on
27 the written and oral record, the Hearing Examiner concurs with the staff analysis and adopts the
28 same. The Staff Report is by this reference incorporated herein as though fully set forth.

29 24. Any conclusion herein which may be deemed a finding is hereby adopted as such.
30

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CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over this proceeding.
2. Because this project is located within the boundaries of a community council, this is a Process III case involving a recommendation by the Examiner and a final decision by the City Council. LUC 20.35.015(D)(2).
3. The requirements of SEPA have been met.
4. The project, as conditioned, meets the approval criteria for a Critical Areas Land Use Permit and for a Conditional Use Permit.
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

CONDITIONS

GENERAL CONDITIONS OF APPROVAL

1. **Vehicular Access Restrictions:** All vehicular access to and from the site is intended to be via 143rd Avenue NE, except that a gated access for emergency vehicles (meeting Police and Fire Department standards) must be provided at NE 4th Street at the eastern edge of the site. The City may require the future use of NE 4th Street for other vehicular access and require school district cooperation if necessary to deal with off-site queuing problems on 143rd Avenue NE and/or NE 8th Street if not adequately mitigated by proposed on-site improvements. BCC 14.60.050, 060, 070, 150; Comprehensive Plan Policy TR 38; Conditional Use Decision Criteria C and D in LUC 20.308.140
2. **Provisions for Loading:** The property owner shall provide an off-street loading space which can access a public street. On-street loading and unloading will not be permitted. LUC 20.20.590.K.4
3. **Playfields:** The existing playfields will be reoriented with this application. The existing track will be removed from the wetland buffer and placed east/west near the south property boundary along with the tennis courts on a north/south alignment. It will be converted to a synthetic field with this application. A new synthetic turf field will reduce encroachment within the wetland buffer at the southwest corner. LUC 20.20.740.A.8

PRIOR TO ISSUANCE OF ANY CLEAR AND GRADE PERMIT

Right-of-Way Use Permit: Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- a) Designated truck hauling routes.
- b) Truck loading/unloading activities.
- c) Location of construction fences.
- d) Hours of construction and hauling.
- e) Requirements for leasing of right of way or pedestrian easements.
- f) Provisions for street sweeping, excavation and construction.

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g) Location of construction signing and pedestrian detour routes.

h) All other construction activities as they affect the public street system. In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

Authority: BCC 11.70 & 14.30

2. Civil Engineering Plans — Transportation

Civil engineering plans produced by a qualified engineer must be approved by the Transportation Department prior to issuance of the clearing and grading permit. The design of all work within any city street right of way must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the Transportation Department Design Manual, and specific requirements stated elsewhere in this document. Transportation-related improvements within the site must comply with such standards were relevant. All relevant standard drawings from the Transportation Department Design Manual or other sources shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

- a) Traffic signs and markings.
- b) Curb, gutter, and sidewalk design.
- c) Handicapped ramps and crosswalks.
- d) Transportation-related lighting and related equipment, where necessary.
- e) Location of fixed objects in any city sidewalk.
- f) Trench restoration within any right of way.
- g) Transformers and utility vaults to serve the building shall be placed within the site to the extent feasible. If placed within a city street, then Transportation Department standards shall be met regarding placement, materials, and lid design.

BCC 14.60, Transportation Department Design Manual and Standard Drawings, LUC 20.20.590.8

PRIOR TO ISSUANCE OF ANY BUILDING PERMIT

1. **Building and Site Plans — Transportation:** Building plans, landscaping plans, and architectural site plans must accommodate on-site traffic markings and signs and driveway and circulation design as specified in the engineering plans and as required in this Conditional Use approval. The site plan must accommodate an on-site pick-up and drop-off area at least 1120 feet long, an area for up to 15 school buses, and an on-site area for deliveries and garbage pickup.
BCC 14.60.060, 110, 120, 150, 180, 181, 190

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- 1 **2. Existing Easements:** Existing utility easements contained within this site must be
2 identified, and any negative impact that this development has on those easements must
3 be mitigated or easements relinquished.
4 BCC 14.60.100
- 5 **3. Signs:** If any change is made to the existing signage, a separate sign package shall be
6 submitted to DSD for staff review and approval. Any proposed sign shall be
7 architecturally compatible with the existing building. BCC 228.10.040.8.1,2
- 8 **4. Final Utilities Approval:** The Utilities Department approval of the Conditional Use
9 application is based on the preliminary utility design. Final civil engineering of the
10 utility design may require changes to the site layout to accommodate the utilities.
11 BCC Title 24.02, 24.04, 24.06
12 Reviewer:
- 13 **5. Developer Extension Agreement:** The water, sewer, and storm drainage systems shall
14 be designed per the current City of Bellevue Utility Codes and Utility Engineering
15 Standards. Utilities Department design review, plan approval, and field inspection is
16 performed under the Developer Extension Agreement and Utilities Permit Processes.
17 Authority: BCC Title 24.02, 24.04,
18 24.06
- 19 **6. Phasing Plan:** The BSD must work with the selected contractor to determine how
20 construction patterns and staging will take place on the site due to the presence of the
21 Aquatic Center. The BSD and contractor must also address how users will be protected
22 as demolition and construction activities take place for OMS. Construction work areas
23 and staging areas must be isolated from occupied areas of the site and from egress
24 routes leading from those occupied areas to the public way. To address these issues, the
25 BSD is required to submit a phasing plan for review and approval by the City. This
26 information should be part of the BSD bid package to inform the selected contractor
27 of the phasing responsibilities and Aquatic Center visitor/staff protection issues.
28 IBC 109.1, IBC Chapter 33
- 29 **7. Construction Hours: Construction Hours:** Normal hours for construction related
30 noises are from 7:00 am. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m.
 on Saturday. No deliveries shall be scheduled prior to 7:00 a.m. or after 6:00 p.m.
 Exceptions for construction related noise limitations contained in the Noise Control
 Code MAY be granted pursuant to 9.18.020C.1 when necessary to accommodate
 construction on schools which cannot be undertaken during exempt hours. No blanket
 exemption exists. Allowances for short term work outside of normal hours for
 construction related noise shall be limited and will be reviewed on a case by case basis
 to verify necessity and ensure appropriate noise mitigation is utilized to protect
 surrounding uses and properties. If expanded hours are necessary to accommodate a
 specific component of the school construction, **the District must apply for a separate
 noise permit for review and approval by staff.** In this time period, the site shall be
 posted on all street frontages prior to the start of construction activity.
 BCC 9.18.040

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CONDITIONS PRIOR TO CERTIFICATE OF OCCUPANCY:

1. **Transportation-Related Construction:** All work in any street right of way and other required transportation-related construction must be completed by the applicant and accepted by the City Inspector. All required improvements must be constructed as per the approved plans or as per direction of the Transportation Department inspector. Bonding or other types of assurance devices will not be accepted in lieu of construction.

BCC 14.60, Comprehensive Plan Policy UT-39, Transportation Department Design Manual, and Transportation Department Standard Drawings

2. **Pavement Restoration:** Pavement restoration associated with street frontage improvements, utility installation, or to repair damaged street surfaces shall be provided as follows:

143rd Avenue NE is classified as Standard Trench Restoration from the site to NE 7th Place. NE 7th Place, 143rd Avenue north of NE 7th Place, and part of the intersection of those two streets are classified as Overlay Required. Trenching within that intersection may or may not require a grind and overlay, depending on the determination of the city's Pavement Manager and the conditions of the right of way use permit for the project.

NE 4th Street is classified as Standard Trench Restoration from the site to 145th Avenue NE. 145th Avenue NE, NE 4th Street east of 145th Avenue and part of the intersection of those two streets is classified as Overlay Required. Trenching within that intersection may or may not require a grind and overlay, depending on the determination of the city's Pavement Manager and the conditions of the right of way use permit for the project.

For any asphalt street surface classified as Overlay Required, any trenching or construction-related damage to the street surface generally requires a grind and overlay at least 50 feet long for the full width of any affected lane. Details will be specified in the right of way use permit for this project.

BCC 14.60. 250; Design Manual Design Standard #21

3. **Transportation Management Program and Monitoring:** Bellevue School District and the administrators of Odle Middle School shall implement a Transportation Management Program with the goal of accommodating pick-up and drop-off activity and vehicle queuing on-site without allowing off-site traffic queues that interfere with emergency access on NE 8th Street or 143rd Avenue NE, transit vehicle access on NE 8th Street, or otherwise impact the operation of the NE 8th Street 143rd Avenue intersection. Prior to initial occupancy of the building, the school district shall submit a detailed Transportation Management Program and policies for City review and approval. The program and policies shall include at least the following:

a) Layout and manage the site's internal circulation system to accommodate at least 1120 feet of on-site pick-up and drop-off space.

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- b) Establish a counterclockwise circulation pattern in the pick-up and drop-off area so that most passengers will access a vehicle's passenger door at the curb.
- c) Establish three separate pick-up and drop-off areas in order to maximize pick-up and drop-off capacity. (The number of pick-up and drop-off areas may be revised after the site has been occupied for a year, if it appears that three areas are unnecessary; however, three or more separate areas must be reestablished whenever needed in the future.)
- d) Provide sidewalks that conveniently connect all pick-up and drop-off areas to the school's main entry, without crossing drive aisles.
- e) Provide adequate weather protection for each pick-up and drop-off area and for access between those areas and the building's main entrance.
- f) Provide on-site traffic monitors whose duties include managing peak on-site traffic flow as needed. Traffic monitors must be adequately trained and be provided in sufficient numbers to effectively manage traffic in every peak period.
- g) At the beginning of the school year, and periodically as needed, the school district or school administrators shall provide information to parents, staff, and students regarding proper traffic and pedestrian behavior and safety, and encouraging the use of buses, carpooling, and other modes of travel. Information to parents must emphasize the need to obey on-site traffic monitors.
- h) At the beginning of the school year, and periodically as needed, the school district or school administrators shall provide contact information to recognized neighborhood groups near the site and to any nearby resident who requests contact information so that nearby residents can easily report to the school district regarding off-site traffic problems related to Odle Middle School.
- i) Revise the traffic management program as needed and continue to implement the program for the long-term. The program shall include a policy on how to notify each new school administrator about the requirements of the program and a policy requiring each administrator to continue the program each year. The program shall include a method for addressing reports of school-related traffic problems from nearby residents.
- j) If necessary to address specific concerns with off-site traffic impacts or the on-site traffic management program, the school district may be required to obtain the services of transportation consultants and/or to pay for city staff review time through a Predevelopment Services application or similar procedure.
- k) School administrators shall be adequately trained in transportation management responsibilities.

BCC 20.30B.140

4. **Critical Areas—Wetlands:** Removal of the existing track and placement of the new synthetic turf field, pedestrian path, and plaza ramp will impact 4,210 square feet of

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1 wetland buffer which shall be mitigated at a 1:1 ratio. The BSD shall complete the
2 improvements noted on the W-Sheets sheets prior to Certificate of Occupancy.
3 LUC 20.25H.055.C.2

- 4 **5. Land Use Exemption (LUX):** Revisions to the approved building materials, details
5 or colors for this proposal, shall be submitted to the Development Services
6 Department for review and approval through the Land Use Exemption process.
7 LUC 20.30B.175.0

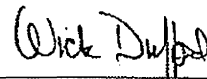
8 **CONDITIONS REQUIRED POST CERTIFICATE OF OCCUPANCY:**

- 9 **1. Future Transportation Conditions if Congestion Extends Off the OMS Site:**
10 The on-site circulation system and transportation management program required by
11 this Conditional Use Approval are intended to eliminate serious off-site queuing
12 problems, regardless of the number of students enrolled at Odle Middle School.
13 Emergency access to the school, the Aquatic Center, and adjacent residential areas
14 accessed via 143rd Avenue NE, as well as emergency access along NE 8th Street and
15 transit vehicle access to bus shelters on NE 8th Street, are of special concern. In the
16 future, if traffic congestion extending off the school site is seen to create significant,
17 on-going interference with such emergency or transit access or otherwise interfere with
18 the operation of the NE 8th Street / 143rd Avenue intersection, then the City will
19 require school district cooperation in considering and implementing other options.
20 Such options may include opening NE 4th Street to automobile traffic, buses, or both.
21 Opening NE e Street will be viewed as a last resort, after consideration of alternatives
22 such as increased use of public transit, school buses, carpooling, walking, biking,
23 staggered hours, revisions or improvements to the school's required transportation
24 management program, and student enrollment limits. BCC 14.60.050, 060, 070;
25 Comprehensive Plan Policy TR 38; Conditional Use Decision Criteria C and D in LUC
26 20.30B.140

27 **RECOMMENDATION**

28 The Hearing Examiner recommends that the Conditional Use and Critical Areas Land
29 Use Permits be approved, subject to the conditions set forth above.

30 DONE, this 14th day of March, 2014.



Wick Dufford, Hearing Examiner

****You are receiving a copy of the Recommendation since you have been identified as a
person who lives or owns property within the 500 foot radius of the site.

3/14/14

NOTICE OF RIGHT TO APPEAL

(Pursuant to Resolution No. 5097)

RIGHT TO APPEAL-TIME LIMIT

A person who submitted written comments to the Director prior to the hearing, or submitted written comments or made oral comments during the hearing on this matter, may appeal the recommendation of the Hearing Examiner to the Bellevue City Council by filing a written appeal statement of the Findings of Fact or Conclusion being appealed, and paying any appeal fee, no later than 14 calendar days following date that the recommendation was mailed. The appeal must be received by the City Clerk by **5:00 p.m. on Friday, March 28, 2014.**

TRANSCRIPT OF HEARING-PAYMENT OF COST

An appeal of the Hearing Examiner's decision requires the preparation of a transcript of the hearing before the Hearing Examiner. Therefore, the request for appeal must be accompanied by an initial deposit of \$100 per recording hour. Should the actual cost be less the amount of the deposit, any credit due shall be reimbursed to the appellant. Should the cost for transcript preparation be more than the deposit, the appellant will be additionally charged.

WAIVER OF TRANSCRIPTION FEE

Upon request, the City Clerk will waive transcription fees upon submission by an appellant of the following documentation: a) an affidavit stating that the appellant's net financial worth does not exceed \$20,000; b) an affidavit stating that the appellant's annual income does not exceed \$5,200; c) a brief statement of the issues sought to be reviewed; d) a designation of those parts of the record the party thinks are necessary for review; e) a statement that review is sought in good faith.

CITY COUNCIL CONSIDERATION

Unless appealed, this matter has tentatively been scheduled to go before the City Council on **Monday, April 28, 2014 at 6:00 pm** for discussion, and **Monday, May 5, 2014 at 8:00 pm** for legislation. After **Friday, March 28, 2014**, interested persons may contact the Hearing Examiner's Office at (425) 452-6934 to find out whether an appeal has been filed.

3/14/14



Application for LAND USE APPROVAL

APPLICATION DATE <u>7/3/13</u>	TECH <u>82</u>	CIP PROJ #	PROJECT FILE # <u>13 119594LB</u>
<input type="checkbox"/> Administrative Conditional Use-LA <input type="checkbox"/> Binding Site Plan-LF <input type="checkbox"/> Boundary Line Adjustment-LW <input type="checkbox"/> Conditional Use-LB <input type="checkbox"/> Conditional Use Shoreline Mgmt-WA <input type="checkbox"/> Critical Land Use Permit Admin-LO <input type="checkbox"/> Design Review-LD <input type="checkbox"/> Final Plat-LG <input type="checkbox"/> Final Short Plat-LF	<input type="checkbox"/> Land Use Approval Amendment-LI <input type="checkbox"/> Land Use Exemption-LJ <input type="checkbox"/> Master Development Plan-LP <input type="checkbox"/> Planned Unit Development-LK <input type="checkbox"/> Planned Unit Dev Combined w/Plat-LK <input type="checkbox"/> Preliminary Plat-LL <input type="checkbox"/> Preliminary Short Plat-LN <input type="checkbox"/> Preliminary SEPA Review-LM	<input type="checkbox"/> Shoreline Development-WG <input type="checkbox"/> Shoreline Exemption w/o SEPA-WD <input type="checkbox"/> Shoreline Exemption w/SEPA-WE <input type="checkbox"/> Shoreline Variance-WF <input type="checkbox"/> Variance-LS <input type="checkbox"/> WCF in ROW - CA	
NOTICE OF COMPLETENESS: Your application is considered complete 29 days after submittal, unless otherwise notified.			

1. **Property Address** 14401 NE 8th Street, Bellevue, WA 98007 **Zoning** R-4 & R-1.8
Project Name (if applicable) Odle Middle School **Tax Assessor #** 8839900080
2. **Applicant** Bellevue School District No. 405 **Phone** (425) 456-4646
Address 12037 NE 5th Street **City, State, Zip** Bellevue, WA 98005
3. **Contact Person** Kyle McLeod **Phone** (425) 456-4646
E-Mail Address McLeodK@bsd405.org **FAX #** (425) 456-4584
Address 12037 NE 5th Street **City, State, Zip** Bellevue, WA 98005
4. **Engineer/Architect/Surveyor** Integrus Architecture **Phone** (206) 628-3137
Address 117 S. Main Street, Suite 100 **City, State, Zip** Seattle, WA 98104
5. **Project Type:** ☐ Single Family Residential ☐ Multi Family Residential ☒ Non-Residential
6. **Description of proposed project, use, exemption, or variance:**
Replacement of Existing Middle School

Proposed Building Gross Square Footage 142,500 SF **Proposed Structure Parking Gross Square Footage** N/A

7. **Nature of Project (if applicable)**
Current use of property and existing improvements: Existing Middle School
 Identify any adjacent water area/wetlands or significant natural features (i.e., streams, wetlands, views, significant trees, water bodies, etc) on or within 200 feet of the property. See wetland report
8. If **SHORT PLAT** or **SUBDIVISION** Application: Total Acreage _____ Number of Proposed Lots _____
 Has this property been previously subdivided? If yes, Date _____ Recording # _____
 If this is a Final Plat or Final Short Plat, what is the Preliminary project file # _____
9. If **SHORELINE MANAGEMENT**: Total cost or fair market value of the project (whichever is higher) \$ _____
 If a single family residence or pier is proposed, is it intended for the owner's own personal use? ☐ Yes ☐ No

If Shoreline Variance, the development will be located:

☐ Landward ☐ Waterward
 of the ordinary high water mark.

AND/OR

☐ Outside ☐ Inside areas designated as marshes, bogs or swamps by the Dept. of Ecology. (Chapter. 173.22. WAC)

BCC 23.10.033 - Agreement regarding vested rights: The filing of an application for any of these required approvals prior to the filing of a valid and complete application for a building permit shall not establish or create a vested right to proceed with construction of any proposed project.

I certify that I am the owner or owners authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above-referenced address for the purpose of filing applications for decision, permits, or review under the Land Use Code and other applicable Bellevue City Codes and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I certify that the information on this application is true and correct and that the applicable requirements of the City of Bellevue, RCW and the State Environmental Policy Act (SEPA) will be met.

Signature _____

(Owner or Owners Agent)

Date _____

7/3/13

3A

Revised 1/10/13